

BEFORE THE BOARD OF HEALTH
SPOKANE REGIONAL HEALTH DISTRICT

RESOLUTION #05-03

RE: PERMITTING OF ESPRESSO STANDS

WHEREAS, on December 2, 2004, the Board of Health determined that a committee should be comprised to develop background information and formulate options for the permitting of existing espresso stands with respect to the issue of the requirement of connection to an approved sewage and water system; and

WHEREAS, the Committee has met and reported to the Board of Health.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby adopt the following with respect to the permitting of existing espresso stands, particularly with respect to the requirement that an espresso stand be connected to an approved sewage and water system:

1. "Espresso stands" is included in, and shall be permitted under, the category entitled "limited restaurant," as that term is listed in the Spokane Regional Health District Fee Schedule.
2. Espresso stands shall connect to an approved sewage system in the following order of priority:
 - a. Espresso stands shall be required to connect to a public sewer system.
 - b. If public sewer is not available, as defined below, an espresso stand shall be required to connect to an approved onsite sewage system.
 - c. If public sewer or an approved onsite sewage system is not available, as defined below, the espresso stand shall be required to connect to an approved waste water holding tank as defined in Spokane Regional Health District Rules and Regulations for Onsite Sewage Systems. When applicable, holding tanks should be of a size to hold a minimum volume of at least five gallons more than the size of the potable water tank.
3. Espresso stands shall connect to public water in the following order of priority:
 - a. Espresso stands shall be required to connect to an approved public water system.
 - b. If public water is not available, as defined below, an espresso stand shall be required, at a minimum, to use potable water holding tanks sufficient for daily operation of the stand as determined by District staff. ~~at least 35 gallons in volume.~~ These tanks must be resupplied on a daily basis from an approved public water system by using food safe methods, containers. ~~Gallonage required may be adjusted to more than 35 gallons based on volume of use upon evaluation by Health District staff.~~

4. As used in this Resolution, a system type is “not available” if it is one of the following as determined by District staff after review of supporting documentation timely provided by the espresso stand purveyor:
 - a. One of the systems described in paragraphs 2(a), 2(b), and 3(a) above is not physically present on site or within 25 ft. of the property line ~~in the vicinity of~~ the espresso stand.
 - b. One of the systems described in paragraphs 2(a), 2(b), and 3(a) above is excessively expensive to install in the vicinity of the espresso stand after consideration of the totality of the circumstances, including but not limited to, cost of installation and revenue of the espresso stand.
 - c. One of the systems described in paragraphs 2(a), 2(b), and 3(a) above may not be installed because a third party owner of the property upon which the espresso stand is located will not grant permission for the connection to sewer and/or water or the installation of an onsite sewage system.

It is the responsibility of the espresso stand applicant to timely submit a written request for a waiver on forms provided by the District and provide requested documentation supporting the request for a waiver.

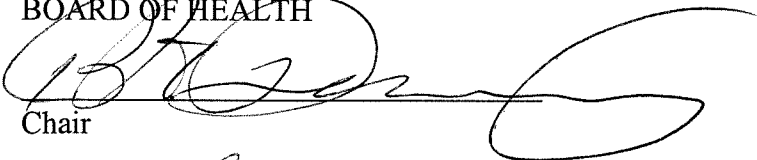
5. In the event District staff determines that one of the exceptions set forth in paragraph 4 applies, the applicant shall be granted a waiver of the requirement to connect to public sewer and/or public water under paragraphs 2(a), 2(b), and 3(a) above and required to install a holding tank as defined in Spokane Regional Health District Rules and Regulations for Onsite Sewage Systems and/or a potable water tank as defined in 3(b).

This waiver shall be valid for a period of two years, after which the applicant will have to re-apply for a waiver and re-establish the applicability of the exception. Failure to comply with the conditions of the waiver may result in immediate suspension of the permit to operate and shall constitute a basis for revocation of the waiver.

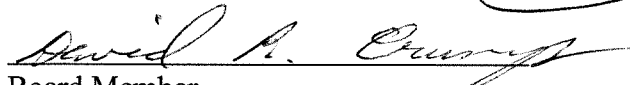
6. Staff shall proceed to process renewal applications for espresso stand permits in accordance with this resolution.
7. This resolution supplements the existing regulations, and those regulations continue in effect.
8. This resolution does not apply to permit applications for espresso stands that are newly constructed, newly operational and/or have not previously held a food service establishment permit from Spokane Regional Health District within the previous six months. Such establishments will be required to connect to an approved public water system and public sewer or an approved onsite sewage system.

Signed this 24th day of March, 2005 in Spokane, Washington.

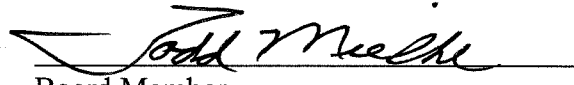
SPOKANE REGIONAL HEALTH DISTRICT
BOARD OF HEALTH



Chair



Board Member

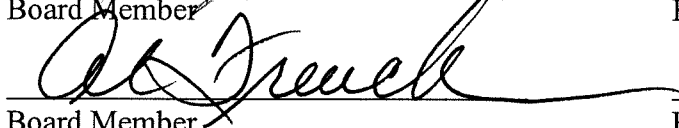


Board Member



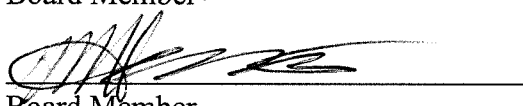
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